

REMARKS

This Amendment is being filed in response to the Final Office Action mailed August 13, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 1-9 and 11-19 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,787,292 (Ottesen). It is respectfully submitted that claims 11-15 and 18-29 are patentable over Ottesen for at least the following reasons.

Ottesen is directed to a power saving method and apparatus for a disk drive. FIGS 2, 3A-3B and 9A-9B show various components of the disk drive. In particular, FIGs 3A and 9B show a host system interface 340 that provides a signal to an activity monitor 330. As recited on column 10, line 66 to column 11, line 6, the signal from the host system interface 340 of the disk drive itself indicates the battery power level. When the battery level is below a predetermined set value, then a disk drive controller 335 (FIGs

3A and 9A) of the disk drive itself places the disk drive into a low power mode. That is, the Ottesen disk drive includes the controller that switches the drive between different modes.

In stark contrast, the present invention as recited in independent claim 20, and similarly recited in independent claim 24 which, amongst other patentable elements, requires (illustrative emphasis provided):

a mode switch configured to detect a voltage level of the power supplied to the drive power interface through the power switch and to provide the mode signal to the drive mode interface for switching the optical recording apparatus into a first accessing mode having a lower data rate than a second accessing mode when the voltage level at the drive power interface falls below a predetermined value;

wherein the mode switch is external to the optical recording apparatus.

It is respectfully submitted that Ottesen does not teach or suggest any external drive switching means. Rather, the Ottesen drive is controlled by elements internal to the drive itself. Further, unlike the present invention as recited in claims 23 and 27 any external user command is not provided to a mode switch which is external to the optical recording apparatus.

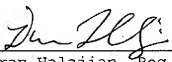
Accordingly, it is respectfully submitted that independent

claims 20 and 24 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 11-15, 18-19, 21-23 and 25-29 should also be allowed at least based on their dependence from independent claims 20 and 24.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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